

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BOYD HALL,	)	No. C 05-2737 MMC (PR)
	)	
Petitioner,	)	
	)	<b>ORDER OF DISMISSAL</b>
v.	)	
	)	
ANTHONY KANE,	)	
	)	
Respondent.	)	
_____	)	

This case was opened when petitioner filed a document titled "Motion for Request of Judicial Notice," in which petitioner requests that the Court take judicial notice of other cases being litigated in the federal courts.<sup>1</sup>

Article III, Section 2 of the United States Constitution restricts adjudication in federal courts to "Cases" and "Controversies." See Valley Forge Christian College v. Americans United for Separation of Church and State, Inc., 454 U.S. 464, 471 (1982). In the absence of an actual petition for a writ of habeas corpus or other civil complaint, there is no case or controversy for this Court to adjudicate. See Green v. United States, 260 F.3d 78, 82 (2d Cir. 2001) (§ 2255 motion). Moreover, the Court cannot discern from the filing whether petitioner can meet even the most basic requirements for proceeding with a habeas petition in federal court and, in particular, in the Northern District, such as proper jurisdiction and venue.

Accordingly, the above-entitled action is hereby DISMISSED without prejudice to

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<sup>1</sup>A search of the Court's cases reveals that petitioner has no other cases pending in this Court for which this motion might have been intended.


1 petitioner's filing a petition for a writ of habeas corpus or a complaint for other relief.

2 This order terminates all pending motions.

3 The Clerk shall close the file.

4 IT IS SO ORDERED.

5 DATED: October 17, 2005

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7 MAXINE M. CHESNEY  
8 United States District Judge  
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